

**TEC Tribal Issues Topic Group Conference Call  
July 25, 2002**

**Participants:** Jacqueline Agnew (CERT/DOE), Judith Bradbury (PNL), Martha Crosland (DOE/EM), Scott Doig (Prairie Island Indian Community), Ed Gonzales (ELG), Judith Holm (DOE/NTPA), Patrice Kent (NTEC), Dan King (Oneida Nation), Bob Lupton (DOE/OCRWM), Wilda Portner (SAIC), Mike Rowswell (Association of State Rail Safety Managers), Larry Stern (CVSA), Catherine Volk (DOE/EM), Neil Weber (Pueblo of San Ildefonso), Corina Williams (Oneida Nation)

Issues discussed during this call included introduction of CERT intern, Jacqueline Agnew, to the group, review of action item status from the January TEC meeting in New Orleans, the Transportation Addendum to the DOE Indian Policy Implementation Plan, and status of the Draft Tribal Resource Booklet.

**Action Items:**

<u>Responsible Party</u>	<u>Action to be Taken</u>
J. Holm/W. Portner	Send out Draft Tribal Resource Booklet to group for review
J. Holm/W. Portner	Provide group with Steve Grey's listserv information
W. Portner	Re-send group members information for accessing "Indian Roots of Democracy" online
E. Gonzales	Call Joe Chavarria and confirm what information he needs on the Los Alamos Site Waste Permit status
E. Gonzales/J. Holm	Discuss possibility of arranging meeting with Navajo Nation on unloading of unknown materials at remote rail spurs
J. Agnew	Follow up with Wynona Boyer on FRA Pilot Project
W. Portner	Send group members latest version of NTP routing map
J. Holm/W. Portner	Provide Scott Doig with information on listservs related to Tribes and/or transportation issues
D. King	Forward email about NRC training to J. Holm
W. Portner	Update and distribute TEC Tribal Issues Topic Group list

Responsible Party

Action to be Taken

J. Holm/W. Portner	Distribute Draft Transportation Amendment to DOE Indian Policy Implementation Plan to group following DOE Tribal Points-of-Contact meeting in Denver on July 30
J. Holm	Send Dan King Low-Level Waste booklet
E. Gonzales/J. Holm	Discuss arrangements for Judith to meet with Governor of Zuni Pueblo

**Summary:**

The call began with the introduction of Jacqueline Agnew, the Council of Energy Resource Tribes (CERT) intern assigned to DOE's National Transportation Program (NTP). Jacqueline related that she is a member of the Yup'ik Nation of southwestern Alaska and that she reported to NTP for a 1-year internship on June 3, 2002. She has been phoning Tribal attendees of the November 2001 NTP Tribal Partnering Workshop to follow up on issues identified in that meeting. She will also be contacting DOE corridor Tribes (between 34-39 Nations) to discuss DOE transportation activities and tools such as the TRANSCOM system, the Transportation Emergency Preparedness Program, the DOE Indian Policy, etc. Jacqueline has contacted more than 20 Tribes and has learned that about 10-12 of those Tribes are at the base level in understanding what a corridor Tribe is and where they fit into the DOE transportation process. Several of the Tribal contacts have expressed their need for the Tribal Summit with the Secretary of Energy mentioned in the DOE Indian Policy. Jacqueline recently met with the Governor of the Santo Domingo Pueblo and attended the July 19 Laguna Pueblo Tribal Emergency Response Commission (TERC) meeting. She will be presenting the Laguna TERC success story at the upcoming Oklahoma Tribal Summit meeting and will work with Laguna to put together a lessons learned document on how the Pueblo established and maintains their emergency response capabilities. (Judith mentioned that she and Jacqueline would attend that meeting. Judith will make a presentation on DOE transportation programs and shipping activities and the DOE Transportation Emergency Preparedness Program (TEPP) will also be represented. Judith agreed to email Ed Gonzales information on the meeting). Jacqueline has not contacted Nevada Tribes yet because of the Yucca Mountain issue. She will discuss this with DOE Nevada contact Bob Lupton, Office of Civilian Radioactive Waste Management (RW) and Richard Arnold, Tribal Liaison and Native American Interactions, DOE Nevada. Jacqueline said that the Southwest Indian Polytechnic Institute (SIPI) offers Tribes free response training and free calibration on some equipment through its Environmental Science and Industrial Hygiene Program. It would be beneficial for DOE, SIPI, Tribes, and the students to work together on transportation issues. She asked that call participants phone her with suggestions for activities during her internship, including cultural and educational issues

Judith Holm led the discussion of Action Items from the January TEC Tribal Issues Topic Group meeting in New Orleans. The Draft Tribal Resource Booklet was reformatted this week and should be available for the group to review in the near future. Judith will provide group

members with information on Steve Grey's (DOE Oakland) listserv. A listing of the DOE Tribal Points-of-Contact will be part of the Resource Booklet and Jacqueline will include them in the brochure she is drafting for Tribes that describes DOE's capabilities and limitations. This will give Tribes a list of contacts to be called when they have questions about DOE activities. The Transportation Resource Exchange Center (T-REX) at the University of New Mexico loaded the book "Indian Roots of Democracy" onto the Internet for access by the TEC Tribal Issues Topic Group. Wilda Portner will email the group again with the URL address. The DOE Indian Issues Points-of-Contact are having an internal meeting in Denver, Colorado, on July 30. Robert Paduchik, the recently appointed Director of Intergovernmental, Indian and External Affairs at DOE, will attend and it will be an excellent opportunity to get to know him and his vision for Tribal relations at DOE. Call participants requested a summary of the meeting be provided to them. Ed Gonzales suggested that Judith Holm, Martha Crosland, and Catherine Volk recommend to Mr. Paduchik that he come out to meet with the Tribes. Judith Holm asked call participants to phone or email her any issues or concerns they would like to have addressed next week in Denver. Ed Gonzales offered to get clarification from Joe Chavarria, Santa Clara Pueblo, about what information he is interested in for the Los Alamos Site Waste Permit. Judith said that the Transportation Addendum to the DOE Indian Policy Implementation Plan has been drafted and she hopes to be able to send it out to the group shortly after the July 30 Points-of-Contact meeting in Denver. She told the group that one approach outlined in the Transportation Addendum would involve regional coordination of Tribal transportation issues. The overall Implementation Plan has been given to Robert Paduchik for consideration and he is now the point-of-contact for the Plan. Judith announced that the next TEC meeting is being planned for January or February 2003.

Group members then provided updates on their recent activities and concerns:

Patrice Kent asked for clarification on how "corridor Tribes" are designated. Judith Holm responded that the designation involves Tribes within ½ mile of highway or rail routes for DOE shipments. She and Patrice agreed to discuss further offline.

Ed Gonzales said he is continuing his site visits with New Mexico Tribes. He also announced that he is the TEA-21 regional representative and that the final rulemaking is due out soon. He also mentioned that the Navajo Nation is concerned with unloading of unknown materials at remote rail spurs and that the Navajo Department of Transportation has requested a meeting with Judith Holm to discuss this issue. Ed told the group that the New Mexico Highway Department is planning another Tribal Summit in the spring of 2003, once the new State administration is in place. The Four-Corners Institute recently met in Durango, Colorado, and Elaine Brouillard (T-REX) is working on the drafts. He suggested the group review them and provide comments. Ed said the San Ildefonso and Santa Clara Pueblos are beginning discussions with the State, Espanola, and DOE (Los Alamos National Laboratory) on improvements to New Mexico Highway 30. He also mentioned that the Governor of the Zuni Pueblo would like a meeting with Judith Holm to discuss how the Environmental Protection Agency (EPA) is implementing their Indian Policy. Ed invited Jacqueline Agnew to San Ildefonso Pueblo.

Dan King expressed his concern that low-level waste (LLW) is not being addressed appropriately in regard to its shipment through Tribal jurisdictions and response to potential

accidents or incidents. Judith Holm said she would send him the new booklet on LLW. Martha Crosland noted that Tribes have raised questions about the level of clean-up after an accident. The actual clean-up level would be determined on a site-specific basis in accordance with applicable laws and regulations.

Dan King and Patrice Kent have received announcements from the Nuclear Regulatory Commission regarding high-level-waste training. Judith Holm asked Dan to forward the email to her.

Bob Lupton reported that the Yucca Mountain program is in a state of flux. Congress and the President have designated Yucca Mountain as the repository site and budget discussions are ongoing. There is still opposition to the project.

Corina Williams asked if there is a mitigation plan for accidents involving rail shipments of radioactive materials. Judith Holm responded that high-visibility shipments have transportation plans in effect that include emergency response plans and that Tribes have provided input into those plans. Judith also stated that most routes are on the Interstate Highway system. Corina asked that the current route map be sent to her. Patrice Kent expressed interest in the map as well.

Mike Rowsell said the Federal Railroad Administration (FRA) pilot project with the Shoshone-Bannock Tribes has been stalled. Jacqueline will contact Wynona Boyer.

Larry Stern reported that Commercial Vehicle Safety Alliance (CVSA) Level 6 training is going strong. Ten classes have been held this year and an increase in class numbers is expected next year, due to the increased interest at the State level. CVSA will meet August 24-29 in Boston, Massachusetts.